

## **EXHIBIT L**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF MILCIA C. PENA**

I, Milcia C. Pena, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today.

Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present at the Marriott World Trade Center hotel when the terrorist attacks on the World Trade Center Towers occurred. At the time of the attacks, I worked as the hotel's Front Desk Training Manager.

4. I arrived for my shift on the morning of September 11th at approximately 5:15 a.m. I was in my office on the first floor in the lobby area running reports and going back and forth helping at the front desk. When the first passenger jet, American Airlines Flight 11, plunged into the upper section of the North Tower, I had been running reports in the First-Floor lobby area of the hotel.

5. I felt the impact of the explosion inside of the hotel, but I did not know the cause of the explosion at that time. First responders initially told me and other hotel employees to remain inside of the Marriott for our safety.

6. However, when the second passenger jet, United Airlines Flight 175, slammed into the upper section of the South Tower, we immediately lost power inside of the hotel. Shortly thereafter, the hotel lobby began to fill with disoriented and injured victims of the initial explosions in the North and South Towers.

7. Rescue personnel then advised that everyone should leave the Marriott hotel. As we exited the building, the firefighters told us to cover our heads and not to look back.

8. The scene in front of the Marriott was horrific and it resembled a war zone. I saw people jumping from the upper sections of the North and South Towers and crashing to the concrete near me.

9. The firefighters told me to run towards the water to escape, but I had trouble running as I was wearing my hotel uniform and high heels. The crowd of people fleeing the area trampled over me, and I suffered injuries to my lower back, left ankle, neck, left shoulder, and right leg as I attempted to escape.

10. Having been injured, I stumbled to my feet and attempted to flee the area. The South Tower then collapsed, and a thick cloud of smoke, chemicals, and building debris engulfed me. I inhaled large quantities of these substances into my lungs and airways.

11. As I ran towards the water, first responders instructed me to continue north. I did not stop running until I reached my mother's apartment in upper Manhattan.

12. As a result of these terrorist attacks, I suffered the following specific injuries<sup>1</sup> on September 11, 2001: a low back injury<sup>2</sup>, a right leg injury<sup>3</sup>, a left ankle injury<sup>4</sup>, and temporomandibular joint disorder (“TMJ”)<sup>5</sup>. Due to the large quantities of dust, chemicals, toxins,

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<sup>1</sup> See, 9/11 Injury Records of Milcia Del Carmen Pena (PENA\_MEDS\_0001), attached hereto as Exhibit C, at 0001-0016.

<sup>2</sup> Id. at 0001-0005, 0008-0010, and 0012-0013.

<sup>3</sup> Id. at 0008, 0010, 0012.

<sup>4</sup> Id. at 0005.

<sup>5</sup> Id. at 0006 and 0008.

and building debris that I inhaled, I now suffer from interstitial lung disease<sup>6</sup>, chronic rhinosinusitis<sup>7</sup>, migraines<sup>8</sup>, and gastroesophageal reflux disease (GERD)<sup>9</sup>. The World Trade Center Health Program has confirmed these inhalation injuries<sup>10</sup>. Lastly, my doctors diagnosed me with post-traumatic stress disorder<sup>11</sup> due to the horrific events that I experienced on 9/11.

13. I sought and continue to seek medical attention for my injuries caused by these terrorist attacks. Attached as Exhibit B to this Declaration is a true and correct copy of my select relevant medical records confirming my physical and emotional injuries following the September 11, 2001, terrorist attacks.

14. I previously pursued a claim (VCF 0001330) through the September 11<sup>th</sup> Victim Compensation Fund (VCF) specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 25 day of August 2023.

  
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Declarant Milcia Del Carmen Pena

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<sup>6</sup> *Id.* at 0013-0015.

<sup>7</sup> *Id.* at 0015-0016.

<sup>8</sup> *Id.* at 0016.

<sup>9</sup> *Id.* at 0013, 0015.

<sup>10</sup> *Id.* at 0015-0016.

<sup>11</sup> *Id.* at 0002-0003, 0008, 0012-0013, and 0015.

**EXHIBITS  
FILED  
UNDER SEAL  
(ECF No.  
5716)**